



Observations on the draft uniform law on the form of wills by Prof. YADIN

Art. 7 - The first words should be "a will" instead of "the will".

Art. 4 (2) - Instead of "at the end of the will" I would suggest "at the end of the document" (à la fin de l'acte) - in order better to distinguish between the operative part (being the testator's last will) and the "documentary" part (signature, date, confirmation, etc.).

Art. 5 (1) - The words "mention de cette déclaration est faite à la fin de l'acte" should be added in order to show - by the document itself - that this provision has been complied with.

Art. 6 - Same proposal as to Art. 5 (1) and same reasons.

Art. 10 (3) - Replace "dans le testament" by "à la fin de l'acte" see remark to Art. 4 (2).

Art. 11 - For the reasons given in the remark to Art. 5 (1), the fact that this provision has been complied with should also be stated in the document.

Art. 12 (1). In addition to acquiring capacity according to lex loci actu, it might be advisable also to lay down that this capacity shall be sufficient (even if it does not comply with the requirements of the lex fori).

With regard to the Draft Convention, I have only two remarks:

Art. 2 (2) - The time for this notification should be extended for the six months mentioned in Art. 1 (1) as the "qualified person" may have to be designated in the municipal enactment itself.

Art. 3 (3) - Could not the requirement of "identical or very similar" rules be omitted?